



Township of Huron-Kinloss

Beach Management By-law No. 2021-37 Office Consolidation

The amending by-laws have been combined with the original by-law for convenience only. This consolidation is not a legal document. Certified copies of the original by-laws should be consulted for interpretations and applications of the by-laws on this subject. The by-law numbers referenced in this consolidation refer to the by-laws that amended the principal by-law number 2021-37.

August 11, 2026

By-Law No.	Date	Amendment	
2024-113	2024-11-18	Addition of AMPS enforcement	
2026-75	2026-08-10	Clarification of Orders and recouperation of costs Additional definitions included for clarity	

The Corporation of the Township of Huron-
Kinloss



BY-LAW

2021-37

Being a By-Law to Regulate Beach Management

within the Township of Huron-Kinloss

WHEREAS the Township of Huron-Kinloss (the “Township”) wishes to prohibit and control certain uses on the Crown-owned beaches of Lake Huron in order to ensure the protection of the ecological integrity of the beaches and sand dunes while providing public recreational day use of the beaches;

AND WHEREAS section 8 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (the “*Municipal Act*”) provides that powers of a municipality under the Act or any other act shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues;

AND WHEREAS section 10 of the *Municipal Act* provides that a municipality may pass by-laws respecting the economic, social and environmental well-being of the municipality;

NOW THEREFORE the Council of The Corporation of the Township of Huron-Kinloss enacts as follows:

1. DEFINITIONS

“**Building or Structure**” means anything constructed, erected, placed, or installed, whether temporary or permanent, that is fixed to, supported by, or embedded in the ground or attached to another structure, and includes structural components such as but not limited to decks, gazebos, cement pads or walkways, retaining walls, electrical conduits, plumbing, water distribution systems;

“**Burn Permit**” means a permit issued under the Open-Air Burning By-law;
“Coastal Centre” means the Lake Huron Coastal Centre charitable organization;

“**Crown-Owned Beaches**” means all beaches owned by the Provincial Crown that are within the Township’s geographic limits;

“**Person**” shall include an individual or business name, sole proprietorship, corporation, partnership, or limited partnership, or authorized representative thereof, or property owner;

“**Sand Dune**” means a naturally occurring accumulation of wind-deposited sand

that forms a distinct landform within a shoreline or inland dune system and includes all components of the dune, whether active or stabilized, vegetated or unvegetated, including the crest, slopes, toe, foredunes, backdunes, swales, associated vegetation, soils, and underlying sand deposits that contribute to the dune's formation, stability, ecological function, or natural movement;

“Shore Lands” means all Township owned lands adjacent to, forming part of, or associated with the shoreline of a lake, river, stream, or other waterbody, including, without limitation, beaches, sand dunes, bluffs, banks, shorelines, wetlands, vegetated areas, natural areas, erosion control works, and any lands lying below, at, or above the ordinary high water mark that are owned, occupied, managed, or controlled by the Township;

“Township” shall mean The Corporation of the Township of Huron-Kinloss: and,

“Trail, Water Crossing, or Road” means any man-made trail, water crossing, road, path, track, access route, driveway, lane, boardwalk, bridge, culvert, causeway, or other route, structure, or work that is created, constructed, installed, cleared, graded, excavated, surfaced, or otherwise altered to provide or facilitate access or passage.

2. PROHIBITIONS

2.1 No person shall conduct any of the following activities on any Crown-Owned Beaches at any time:

- a) operate any motorized vehicle;
- b) deposit or place or allow to be deposited or placed any litter, debris or other material;
- c) alter or destroy sand dunes;
- d) burn any substance without a permit;
- e) place or ignite any fireworks;
- f) construct or place any building or structure;
- g) construct a trail, water crossing or road;
- h) dredge or fill shore lands;
- i) harm or remove invasive vegetation or native vegetation by mechanical means or by hand;

2.2 The prohibitions set out in this section shall not prevent a person from acting under the authority of and in accordance with the terms and conditions of an instrument that is granted under the *Public Lands Act* and authorizes an activity that would otherwise be prohibited, except if carried out under the authority of and in accordance with the terms and conditions of a work permit.

2.3 Notwithstanding the provisions of section 2.1 (b) of this By-law, persons may permit the temporary depositing of dog excrement on the Crown-Owned Beach provided that they forthwith pick up and remove said excrement from the Crown-Owned Beach.

3. ORDER TO DISCONTINUE ACTIVITY AND RESTORE LAKESHORE

3.1 Upon the Order of the By-Law Enforcement Officer or their designate, all persons conducting or having conducted any of the activities set out in section 2 above shall immediately cease and desist such conduct on the Crown Owned Beaches and Shores Lands.

3.2 Where an Order is issued every person who has conducted, permitted, or caused any activity prohibited under Section 2 of this By-law shall pay financial deposit to restore the Crown-Owned Beaches and Shore Lands to a condition that is equal to or better than the condition that existed prior to the commencement of such activity as determined by the Township and with the Costal Centre or equivalent specialist/trades person(s) upon the Township's request.

3.3 When the Order compliance date has lapsed and the person named on the Order has defaulted on providing the financial deposit for the outlined restoration work as outlined within the Order, the Township may undertake or cause to be undertaken any work necessary to remedy the contravention and restore the Crown-Owned Beach and Shore Lands to a condition that is equal to or better than prior to the prohibited activity under Section 2 of this By-law being conducted

3.4 All costs incurred by the Township in carrying out such work, including but not limited to contractor costs, consulting fees, legal fees, disbursements, and administrative fees shall be the debt of the person named on the Order who failed to comply with the Order. 3.1

3.5 Every person who contravenes, disobeys, or fails to comply with an Order is guilty of an offence.

4. SIGNAGE

4.1 The Township shall install and maintain signs on the Crown-Owned Beaches to indicate the prohibited activities as set out in this By-law. Such signs shall be approved by the Ministry before being erected.

5. ENFORCEMENT, INSPECTION AND MAINTENANCE

5.1 The provisions of this By-law may be enforced by the Township's By-Law Enforcement Officer.

5.2 The Township shall be responsible for the control of invasive species, which will include phragmites, hogweed and wild parsnip.

6. OFFENCE AND PENALTY

6.1 Every person who contravenes any provisions of this By-law is guilty of an offence, and subject to prosecution under and the penalties as prescribed in the *Municipal Act* and the *Provincial Offences Act*, R.S.O 1990, c. P.33, as amended.

a) On first conviction to a fine /notice as prescribed by this by-law; and

b) On subsequent conviction to a fine/notice of the same prescribed amount plus reinspection fee where applicable for each day or part thereof upon which the conviction had continued after the day on which the person was first convicted.

6.2 Upon registering a conviction of any provision of this By-Law, the Ontario Court, Provincial Division, may in addition to any penalty imposed by this By-Law make an order prohibiting the continuation or repetition of the offence by the person convicted.

6.3 Penalties and Set Fines for the violation of the By-Law are set out in Schedule 'A' to this By-Law.

6.4 By-law 2024-40, as amended, the Administrative Monetary Penalties By-law applies to each administrative monetary penalty issued pursuant to this By-law.

6.5 Each person who contravenes any provision of this By-Law shall, upon issuance of a Penalty Notice in accordance with the Administrative Monetary Penalty System By-law, be liable to pay to the Municipality an administrative monetary penalty.

7. SEVERABILITY

7.1 If any provision or part of this By-law is declared by any court or tribunal of competent jurisdiction to be unlawful or inoperative in whole or in part, the balance of the By-law, or its application in other circumstances, shall not be affected and shall continue to be

in full force and effect.

8. MISCELLANEOUS

8.1 This by-law shall come into full force and effect upon its final passage.

8.2 This by-law may be cited as the “Beach Management By-Law”.

READ a FIRST and SECOND TIME this 19th day of April, 2021.

READ a THIRD TIME and FINALLY PASSED this 19th day of April, 2021.

Original Signed By

Mitch Twolan, Mayor

Original Signed By

Emily Dance, Clerk

Schedule 'A' to By-Law No. 2021-37
Part I Provincial Offences Act
Set Fines

Item	Column 1	Column 2	Column 3
	Short Form Wording	Provision Creating or Defining Offence	Set Fine
1.	operate any motorized vehicle;	2.1 a)	\$250
2.	deposit or place or allow to be deposited or placed any litter, debris or other material	2.1 b)	\$250
3.	alter or destroy sand dunes	2.1 c)	\$250
4.	burn any substance without a permit	2.1 d)	\$250
5.	place or ignite any fireworks	2.1 e)	\$250
6.	construct or place any building or structure	2.1 f)	\$250
7.	construct a trail, water crossing or road	2.1 g)	\$250
8.	dredge or fill shore lands	2.1 h)	\$250
9.	harm or remove invasive vegetation or native vegetation by mechanical means or by hand	2.1 i)	\$250